

REMARKS

Claims 7-10 and 12-28 are pending. By this Amendment, claims 14-28 are added.

Reconsideration in view of the above amendments and the following remarks are respectfully requested.

Applicants appreciate that the Examiner has withdrawn the previous rejection based on French Patent Publication No. 1516944 (FR '944) in view of EP Publication No. 0788860. However, that rejection has been replaced with a new rejection combining FR '944 with a newly cited reference to Dobson et al. (U.S Patent Publication No. 2002/0184911 A1). This rejection is respectfully traversed.

Claim 7 is directed to a refrigerating unit comprising a suction tube and a throttling tube which runs at least over a part of its length inside the suction tube and is guided out from the suction tube to form a first outlet location, wherein the throttling tube and the suction tube are joined to one another at a second location of the suction tube at which outer surfaces of the throttling tube and the suction tube are in contact, wherein the outer surfaces of the throttling tube and the suction tube are joined to one another at the second location by ultrasound welding.

The claim structure is advantageous in that the heat required for ultrasonic welding is released at a short time and exclusively localized on the surfaces of the two tubes in contact with another. Other regions of the tubes are at most heated by heat flow from the region of contact. They thus remain substantially cooler than is possible by soldering, for example. Consequently, the structure of the material forming the suction tube and throttling tube, this usually being copper or a copper alloy, does not change decisively. In addition, the mechanical strength properties of the material are thus not modified. In addition, this is a very cost-effective joining

technique. Further, ultrasonic welding can be implemented in an automated fashion. See paragraph 8 of the original specification.

As acknowledged in the Office Action, FR '944 does not explicitly teach or suggest that the weld shown in reported section location 45 of the device depicted in Figure 11 as an ultrasonic weld as required as set forth in independent claim 7. In an effort to again remedy this deficiency, the Office Action has cited to Dobson et al. as teaching the use of an ultrasonic welding at paragraph [0048] of Dobson et al.

However, Dobson et al. is directed toward an integrated U-tube and absorbent unit, e.g., for an automotive air conditioning system per paragraph [0003] of Dobson et al. Moreover, Dobson et al. is directed toward providing an integrated U-tube and absorbent unit wherein the absorbent unit is an integral and inseparable part of the U-tube. See paragraphs [0005] through [0016] of the Summary section of Dobson et al.

As FR '944 is directed toward compressors specifically adapted for use for domestic refrigerators, and because FR '944 is specifically directed toward the elimination of noises and vibrations, there appears to be no reason why one of ordinary skill in the art would have adopted the teachings of Dobson et al. which again is directed to an integrated U-tube and absorbent unit, not related to the present technology.

Moreover, the embodiment of Figures 9-11 of Dobson et al. is directed toward the ultrasonic welding of two plastic pieces that make up a single U-shaped conduit. Thus, Dobson et al. does not teach or suggest the ultrasonic welding of two tubes, i.e., a suction tube and a throttling tube, to one another. Moreover, Dobson et al.'s halves 51 and 52 making up the U-tube 50 are injection molded and therefore have no application to the types of tubes which are

involved in FR '944, in which the suction tube and the throttling tube are usually made of metal materials.

To even more particularly bring out these distinguishing features, several dependent claims (14-28) have been added, e.g., claim 14 specifies that the suction tube and the throttling tube are made of metallic materials, while claim 15 specifies that the metallic materials include copper or copper alloys which is clearly not the case in Dobson et al. However, because it is Applicants position that one of ordinary skill in the art would not have sought to have combined the teachings of FR '944 with those of Dobson et al. these amendments have not been introduced into the independent claims at this time. In addition, claim 16 specifies that the suction tube and throttling tube are fixed at the first outlet location by a soldering joint, whereas claim 7 specifies that the suction tube and the throttling tube are fixed to one another using ultrasonic welding. Neither FR '944 nor Dobson et al. has any suggestion to use two different types of weldings or joints to fasten the throttling tube to the suction tube, as effectively described in claims 7 and 16 when considered together. Method claim 12 also requires two types of bonding, i.e., soldering and ultrasonic welding.

Reconsideration and withdrawal of the rejection are respectfully requested.

Applicant respectfully requests entry of the present Amendment. If the Examiner has any questions regarding this amendment, the Examiner is requested to contact the undersigned. If an extension of time for this paper is required, petition for extension is enclosed.

Respectfully submitted,

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